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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,105	12/01/2000	R. Doug Smith	MICE-0110-US (00.03315)	4549

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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 05/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,105

Applicant(s)

SMITH, R. DOUG

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/28/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,787,246 to Lichtman et al. in view of U.S. Pat. No. 6,345,319 B2 to Lin et al.

As to claim 1, Lichtman teaches a Computer System (Computer System 8/Automated Configuration System Col. 10 Ln. 64 – 67, Col. 11 Ln. 1 – 67), a Configuration Information File (Configuration Logic 30 Col. 14 Ln. 57 – 67, Col. 15 Ln. 1 – 67, Col. 16 Ln. 1 – 55), an Executable Software Routine (Driver Loading Module 35 Col. 15 Ln. 33 – 44), and installing the one or more device drivers (Driver Loading Module 35 Col. 15 Ln. 33 – 44, Step 40 Col. 16 Ln. 6 – 18).

Lin teaches the step of reading data from the configuration information file (Step 201 – 209 Col. 2 Ln. 64 – 67, Col. 3 Ln. 1 – 34). It would have been obvious to apply the teaching of Lin to the system of Lichtman. One would have been motivated to make such modification to facilitate normal operation of a new device (Col. 2 Ln. 46 – 63).

As to claim 2, Lichtman is silent with reference to the step of implementing a Plug and Play software routine.

Lin teaches a method for installing plug and play device. This method for installing plug and play device inherently includes implementing a plug and play software routine because it contains a software routine to open the set-up file (INF) (Col. 2 Ln. 46 – 50).

As to claim 3, Lichtmann teaches the step of creating a configuration information file that includes listing an identification string for the device (“data string...” Col. 17 Ln. 62 – 67, Col. 18 Ln. 1 – 30).

As to claim 4, Lichtman teaches the step of creating a configuration information file that includes listing an information folder of where information about a device is stored (“...nonvolatile memory...” Col. 18 Ln. 31 – 42: File identifier is not explicitly taught however the nonvolatile memory must have an indicator/memory address that identifies where device information is stored).

As to claim 5, claim 4 covers claim 5 except for listing the corresponding file to be deleted prior to installing a new device driver.

Lin teaches listing the corresponding file to be deleted prior to installing a new device driver (Step 205 Col. 3 Ln. 9 – 12).

As to claim 6, Lichtman teaches creating a configuration information file that includes listing a command for initiating the executable software routine for installing a device driver (Although the listing of a command is not explicitly taught driver loading module is initiated for installed a device driver and as such must include a command/instruction that notifies the driver loading module of when to start driver loading Col. 15 Ln. 33 – 43).

As to claim 7, see the rejection of claim 6.

As to claim 8, Lichtman is silent with reference to step of reading data that includes reading an identification string.

Lin teaches the step of reading data that includes reading an identification string (Step 202 Col. 3 Ln. 1 – 2).

As to claim 9, Lichtman is silent with reference to step of reading data that includes reading an information folder.

Lin teaches the step of reading data that includes reading an information folder (Step 205 Col. 3 Ln. 9 – 12).

As to claim 10, see the rejection of claim 5.

As to claims 11 and 12, see the rejection of claim 6.

As to claim 13, Lin teaches step of installing a device driver that includes searching a system information file for an identification string and removing the identification string from the system information file if the identification string is present (Col. 2 Ln. 46 – 67, Col. 3 Ln. 1 – 34). It would have been obvious to apply the teaching of Lin to the system of Lichtman. One would have been motivated to make such a modification in order to install a plug and play device (Col. 2 Ln. 46 – 47).

As to claims 14 and 15, see the rejection of claim 13.

As to claim 16, Lichtman teaches the step of installing a device driver that includes pointing an installation program to an information folder where information about the device is stored (Enumerator 150 Col. 25 Ln. 54 – 67).

As to claim 17, Lichtman teaches step of installing a device driver that includes placing information found in the formation folder in an operating folder ("...predefined file..." Col. 20 Ln. 25 – 34, .INF files Col. 24 Ln. 1 – 15).

As to claim 18, Lichtman teaches the step of installing the operating system in a local hard disk drive ("...fixed disk drive..." Col. 11 Ln. 55 – 67) and the information in a system registry (System Registry 153 Col. 28 Ln. 50 – 67).

As to claim 19, Lin teaches step of installing a device driver that includes deleting a file associated with a device driver that is being removed ("...deleting..." Col. 2 Ln. 46 – 57, Step 209 Col. 3 Ln. 31 – 34).

As to claim 20, see the rejection of claim 1.

Claims 21 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No.5,787,246 to Lichtman et al. in view of U.S. Pat. No. 6,345,319 B1 to Lin et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 6,094,679 to Teng et al.

As to claim 21, Lichtman as modified in claim 1 is silent with reference to the step of executing a command that removes the device driver by making a set of API calls. Teng teaches removing device driver/software files (Col. 9 Ln. 55 – 67, Col. 10 Ln. 1 – 10). Teng does not explicitly teach using a set of API calls to remove the device driver but being that the system of Teng is object oriented the use of a set of API calls is implicitly taught.

As to claim 22, Lichtman as modified in claim 1 is silent with reference to the step of executing a command that updates the device driver by making a set of API calls. Teng teaches the step of executing a command that updates the device driver by making a set of API calls (Server Script Component 76 Col. 8 Ln. 59 – 67, Col. 9 Ln. 1 – 26). It would have been obvious to apply the teaching of Teng to the system of Lichtman as modified. One would have been motivated to make such a modification in order to package all necessary driver software files for installation (Col. 8 Ln. 64 – 67).

As to claim 23, see the rejection of claim 22.

As to claim 24, Lichtman as modified in claim 1 is silent with reference to the step of presenting a user interface that contains one or more selectable buttons. Teng teaches the step of presenting a user interface that contains one or more selectable buttons (“graphical user interface...” Col. 7 Ln. 8 – 28). It would have been obvious to apply the teaching of Teng to the system of Lichtman as modified. One would have been motivated to make such modification to provide an interface for selecting a printer/driver to initiate installation process (Col. 7 Ln. 8 – 28).

As to claim 25, Teng teaches the step of activating a selectable button that enables the installation of multiple device drivers (“...drivers...” Col. 8 Ln. 21 – 48).

As to claim 26, claim 13 covers claim 26 except for generating selectable button on the user interface.

Teng teaches generating selectable button on the user interface (see claim 24 for rejection).

Claims 27 – 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,767,246 to Lichtman et al. in view of U.S. Pat. No. 6,345,319 B2 to Lin et al. in further view of U.S. Pat. No. 6,094,679 to Teng et al. as applied to claim 24 above, and further in view of U.S. Pat. No. 6,405,362 B1 to Shih et al.

As to claim 27, claims 1 and 24 covers claim 27 except for a motherboard, a processor, a memory device, a removable media player and removable media. Lichtman teaches a motherboard (“...board...” Col. 13 Ln. 44 – 55), a processor (CPU 12 Col. 12 Ln. 1 – 35: NOTE: the CPU 12 is inherently connected to a motherboard), a memory device (Memory Storage Device 29 Col. 13 Ln. 44 – 55).

Lichtman as modified is silent with reference to a removable media player and removable media.

Shih teaches a Removable Media Player (Optical Disk Drive 30 Col. 4 Ln. 55 – 60) and Removable Media (Removable Optical Disk 31 Col. 4 Ln. 55 – 60). It would have been obvious to apply the teaching of Shih to the system of Lichtman as modified. One would have been motivated to make such modifications to provide read/write operation on a removable disk (Col. 4 Ln. 55 – 60).

As to claim 28, Shih teaches an autorun file that automatically runs when the removable media is inserted into the removable media player (Autorun Program 215 Col. 7 Ln. 19 – 67, Col. 8 Ln. 34). It would have been obvious to apply the teaching of Shih to the system of Lichtman as modified. One would have been motivated to make such a modification to reduce the amount of processing required of the shell/operating system (Col. 7 Ln. 31 – 40).

As to claim 29, see the rejection of claim 27.

As to claim 30, claim 27 covers claim 30 except for a first device driver.

Lichtman teaches a First Device Driver (Step 58 Col. 19 Ln. 10 – 26).

As to claims 31 – 36, see the rejection of claims 2 – 7 respectively.

As to claims 37 and 38, see the rejection of claims 25 and 26 respectively.

As to claims 39 – 47, see the rejection of claims 1 and 13, 16 – 23 respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday Off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126

Sue Lao